IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.3251 OF 2006

Shri Umesh B Sharma & anr. .. Petitioners
Vs
Army Welfare Society and ors. .. Respondents.

Mr P.K.Dhakephalkar, senior advocate, i/b S.K.Srivastav & Co., for the petitioners.
Mr A.H.Palekar, AGP for respondent nos 4 and 5.
Mr Shekhar Ingawale, for respondent nos 2 and 3.

CORAM : D.B.BHOSALE,J.
DATE : 16.08.2006

PC:

1. Heard the learned counsel for the parties.

2. In view of the order passed in writ petition no.3329 of 2005 and that the earlier Managing Committee, headed by respondent no.2, is holding the charge by virtue of the stay granted by the Charity Commissioner, Mr Ingawale, learned counsel for the petitioners, states that he has instructions not to prosecute the application Exhibit-15 on which the impugned order sanctioning the prosecution of respondent nos. 1 to 11 therein under section 83 of the Bombay Public Trusts Act, 1950 was passed. In view of the statement made by Mr Ingawale, learned counsel for respondent nos 2 and 3, this petition also stands disposed of by following order.

(i) The order dated 10.3.2006 passed on the application at Exhibit-15 in appeal no.29/05 is quashed and set aside. The writ petition is accordingly disposed of.

. An authenticated copy of this order may be made available to the parties.

(D.B.BHOSALE,J.)